



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of )

BLACKSON ET AL. )

Serial No.: 09/780,737 )

Filed: February 9, 2001 )

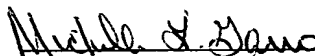
For: DRIVE SCHEMES FOR )  
GRAY SCALE )  
BISTABLE CHOLESTERIC )  
REFLECTING DISPLAYS )  
UTILIZING VARIABLE )  
FREQUENCY PULSES )

Group Art Unit 2675

MING-HUN LIU, Examiner

**Certificate of Mailing  
Via Express Mail**

I hereby certify that this correspondence was deposited with the United States Postal Service as Express Mail – Label No. EL 726094358 US – “Express Mail Post Office to Addressee” service in an envelope addressed to: Mail Stop PETITION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 8th day of April, 2005.

  
Michelle L. Garro, Sec'y to Andrew B. Morton

**PETITION TO REVIVE APPLICATION ABANDONED  
UNAVOIDABLY/UNINTENTIONALLY FOR FAILURE TO REPLY TO A  
FINAL REJECTION**

Commissioner for Patents  
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby petitions to revive an application that was unavoidably abandoned. In the alternative, the applicant hereby petitions to revive an application that was unintentionally abandoned. The following items set forth the relevant statutory provisions and reference the enclosures.

1. Petition

Applicant petitions for the revival of the above-identified application as unavoidably abandoned under 37 C.F.R. § 1.137(a). **If the petition under 37 C.F.R. § 1.137(a) is denied, the applicant petitions for revival of the application as unintentionally abandoned under 37 C.F.R. § 1.137(b).**

2. Untimely filing

Inspection of applicant's records with respect to the above-identified application revealed that the present response to the Advisory Action mailed on January 10, 2005 is not timely filed within the statutory period or any extension requested therefor.

**RECEIVED**  
APR 11 2005  
OFFICE OF PETITIONS

10/14/2005 AXELLEY 00000018 09/20/07

01.001032

500.00 02

3. Response

With respect to the outstanding requirements, applicant presently files herewith (1) an amendment that prima facie places the application in condition for allowance, (2) a request for continued examination (RCE) under 37 C.F.R. § 1.114, and (3) a fee of \$910.00 for an additional two month extension of time.

4. Fee

Assuming the petition to revive the application abandoned unavoidably is granted, the fee (under 37 C.F.R. § 1.17(l)) is \$500.00. If the petition to revive the application abandoned unavoidably is denied, then the fee for the petition to revive the application unintentionally abandoned (under 37 C.F.R. § 1.17(m)) is \$1,500.00.

5. Fee Payment

Included is a check in the amount of \$500.00.

If the petition to revive the application abandoned unavoidably is denied, then authorization is hereby made to charge \$1,500.00 to Deposit Account No. 18-0987 for the petition fee under 37 C.F.R. § 1.17(m). Please reference Attorney Docket No. KDS.P0001.

6. Showing

Showing for the relevant parties as to the causes of unavoidable delays are filed herewith; the showing establishes that the entire delay in filing the required reply from the due date for the reply until the filing of this petition was unavoidable. 37 C.F.R. § 1.137(a)(3).

**In the alternative**, this application became abandoned because the failure to prosecute was an unintentional delay. The entire delay in filing the required reply from the due date until the filing of this petition was unintentional under 37 C.F.R. § 1.137(b)(3).

7. Remedial Steps

It will be seen from the attached showing that the processing procedures have been carefully reviewed and that steps have been taken to avoid repetition of events which took place in this case so that a similar error will not be made in the future.

Respectfully submitted,



---

Andrew B. Morton, Reg. No. 37,400  
Renner, Kenner, Greive, Bobak, Taylor & Weber  
First National Tower - Fourth Floor  
Akron, Ohio 44308-1456  
Telephone: (330) 376-1242  
Facsimile: (330) 376-9646  
E-mail: [morton@rennerkenner.com](mailto:morton@rennerkenner.com)

Attorney for Applicant(s)

Attorney Docket No. KDS.P0001